

REMARKS

Prior to entry this amendment, claims 1-16 are pending in the instant application. Claims 1 and 9 have been amended to more particularly recite the present invention. Claims 3-8, 10, 12 and 15 have been amended to maintain clear antecedent basis. Claim 17 has been added. The specification has also been amended to correct for a minor typographical error noted therein. Claims 1 and 9 are independent.

Applicants appreciate the Examiner's acknowledgement of applicants' claim for foreign priority and receipt of a certified copy of the priority document.

Applicants further appreciate the Examiner's acceptance of the drawings filed on November 6, 2003.

Applicants request, in connection with the next Office action, consideration of the Information Disclosure Statement filed concurrently herewith.

Claims 1-17 are provided to the Examiner for continued or initial prosecution on the merits.

A. Asserted Obviousness Rejection

In the outstanding Office action dated June 14, 2005, the Examiner rejected claims 1-16 under 35 U.S.C. § 103(a) as being unpatentable over U.S. Patent No. 6,241,477 to Brezoczky et al. ("the Brezoczky et al. reference") in view of U.S. Patent No. 6,467,354 to Allen ("the Allen reference"). Claims 1 and 9 have been amended to more clearly recite the present invention. It is respectfully submitted that these claims are allowable over the applied art for at least the reasons set forth below.

Claim 1 now recites, in part:

detecting a degree of vacuum in the vacuum chamber;
adjusting the degree of vacuum in the vacuum chamber to
achieve a predetermined degree of vacuum; and
bonding the cover and the substrate, thereby sealing the
cavity.

Claim 9 now recites, in part, that the controlling section:

for adjusting a degree of vacuum in the vacuum chamber to a
predetermined degree of vacuum by controlling the gas injecting section, and
for controlling the bonding section to bond the substrate and the cover
together after the predetermined degree of vacuum is realized, thereby sealing
the cavity.

Support for this operation may be found, for example, in paragraphs [0035] and [0036] of the original specification. Such operation may avoid the problems of the related

art, as set forth in paragraph [0006], in which the cavity may have too low a vacuum or too high a vacuum.

The Brezoczky et al. reference is generally directed to a vacuum processing chamber. While the Brezoczky et al. reference may disclose an in-situ getter for use in the vacuum chamber, the Brezoczky et al. reference fails to suggest or disclose such a getter in a cavity formed between a cover and a substrate, and does not even suggest or disclose such a cavity. The elements in the Brezoczky et al. reference relied on by the Examiner as constituting the cover and substrate are actually a substrate support 106, which is disposed on a substrate support lift assembly 118, and a lift pin assembly 120, which lifts the substrate 116 off the substrate support 106. *See the Brezoczky et al. reference, col. 4, lines 1-18.* There are no details in the Brezoczky et al. reference provided regarding the actual substrate 116 to be processed.

The Examiner correctly notes that the Brezoczky et al. reference fails to disclose bonding the cover and the substrate. The Examiner then relies on the Allen reference to provide this teaching. While the Allen reference may disclose a cavity and a substrate bonded together, there is no suggestion or disclosure of providing a getter in the cavity. Further, since any "cavity" in the Brezoczky et al. reference is part of the vacuum chamber itself, there is no motivation to bond a piece of the chamber with the substrate being processed, even with the teaching in the Allen reference. Finally, there is no suggestion or disclosure in either the Brezoczky et al. reference or the Allen reference to adjust a degree of vacuum in a vacuum chamber before bonding a substrate and cover to seal a cavity therein, as now more clearly recited.

Therefore, it is respectfully submitted that neither the Brezoczky et al. reference nor the Allen reference, either alone or in combination, suggest, much less disclose, the present invention as recited in claims 1 and 9. The remaining rejected claims depend, either directly or indirectly, from respective ones of claims 1 and 9, and are believed to be allowable for at least the reasons set forth above. Therefore, it is respectfully requested that this rejection be withdrawn.

B. New Claim 17

Claim 17, depending from claim 1, has been added to recite details eliminated from amended claim 1. No new matter has been added, and it is respectfully submitted that claim 17 is allowable for at least the reasons claim 1 is allowable.

C. Conclusion

Since the cited prior art references fail to render obvious, much less anticipate, the subject invention as presently claimed, applicants respectfully submit that claims 1-17 are now in condition for allowance, and a notice to that effect is respectfully requested.

If the Examiner believes that additional discussions or information might advance the prosecution of the instant application, the Examiner is invited to contact the undersigned at the telephone number listed below to expedite resolution of any outstanding issues.

In view of the foregoing amendments and remarks, reconsideration of this application is earnestly solicited, and an early and favorable further action upon all the claims is hereby requested.

Respectfully submitted,

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PETITION and
DEPOSIT ACCOUNT CHARGE AUTHORIZATION

This document and any concurrently filed papers are believed to be timely. Should any extension of the term be required, applicant hereby petitions the Director for such extension and requests that any applicable petition fee be charged to Deposit Account No. 50-1645.

If fee payment is enclosed, this amount is believed to be correct. However, the Director is hereby authorized to charge any deficiency or credit any overpayment to Deposit Account No. 50-1645.

Any additional fee(s) necessary to effect the proper and timely filing of the accompanying-papers may also be charged to Deposit Account No. 50-1645.